

ENTERED

June 27, 2024

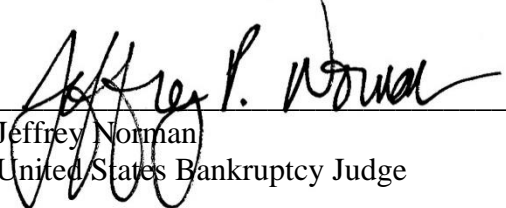
Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION****IN RE:****JAMISON HAMLIN DYER,****Debtor.**§
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§**CASE NO: 24-80163****CHAPTER 13****ORDER DENYING MOTION FOR CONTINUATION OF THE AUTOMATIC STAY**

This matter is before the Court on the Emergency Motion for Continuation of the Automatic Stay (ECF No. 14) filed by the debtor. Pursuant to 11 U.S.C. § 362(c), when a debtor has had a prior case dismissed within the prior year, the automatic stay expires 30 days after the case was filed unless the Court extends it. This case was filed on May 31, 2024; however, the instant motion was not filed until June 26, 2024. The automatic stay will expire on June 30, 2024. Therefore, there is no time to schedule a hearing and provide proper notice to all creditors and parties in interest as the automatic stay will expire in three days.

THEREFORE, IT IS ORDERED that the Emergency Motion for Continuation of the Automatic Stay is denied. The Court notes that the denial of this motion will have limited or no negative effect on the debtor as the stay continues in place as to estate property. The Fifth Circuit has held that “§ 362(c)(3)(A) terminates the stay only with respect to the debtor; it does not terminate the stay with respect to the property of the bankruptcy estate.”¹

SIGNED 06/27/2024



Jeffrey Norman
United States Bankruptcy Judge

¹ *Rose v. Select Portfolio Servicing Inc.*, 945 F. 3d 226 (5th Cir. 2019).